

AMENDMENTS TO THE DRAWINGS

The drawings have been objected to under 37 C.F.R. § 1.84 because various reference numerals are mislabeled in the drawing sheets that were previously provided. Accordingly, applicants are providing replacement drawing sheets in compliance with 37 C.F.R. § 1.21(d), to correct these typographical errors.

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REMARKS

I. Introduction

Claims 1-66 are pending in the present application. In an October 30, 2006, Office Action (hereinafter "Office Action"), Claims 1, 3, 23, 25-27, 38, 40, 42-45, 47-49, 59, 60, 62, and 64-66 were rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Application Publication No. 2005/0080771, to Fish (hereinafter "Fish"), in view of U.S. Patent No. 6,360,227, to Aggarwal et al. (hereinafter "Aggarwal"), and in further view of U.S. Patent No. 6,326,962, to Szabo (hereinafter "Szabo"). Claims 2, 4-22, 28-37, 39, 41, 46, 50-58, 61, and 63 were rejected under 35 U.S.C. § 103(a) as being obvious over Fish, in view of Aggarwal and Szabo, and in further view of U.S. Patent Application Publication No. 2003/0172075, to Reisman (hereinafter "Reisman").

For the following reasons, applicants respectfully submit that the rejected claims of the present application are nonobvious over the cited references because the cited references, alone or in combination, fail to teach or suggest diagnosing at least one possible cause for an underperforming search result that is based on a comparison between normalized performance data to an expected performance data. Prior to discussing in more detail reasons for applicants' belief that all of the claims of the present invention are allowable, a brief description of the present invention and the cited references is presented. The following discussion of the disclosed embodiments of applicants' invention and the teachings of the references are not provided to define the scope or interpretation of any of applicants' claims. Instead, such differences are provided to help the United States Patent and Trademark Office better appreciate important claim distinctions discussed thereafter.

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A. Summary of the Present Invention

The present invention is generally directed to dynamically updating the configuration of a search engine based on an analysis of the relevance of the search results being produced. In this regard, aspects of the present invention continually collect performance data that quantifies how relevant users find the results produced by a search engine. As the performance data is collected, it is compared against the expected performance of the relevance of the results produced by the search engine. When a discord is identified between actual performance and expected performance, aspects of the present invention diagnose a possible cause of the underperforming results produced by the search engine. Based on this comparison, an automatic adjustment to the operation of the search engine may be implemented that optimizes the search result relevance by giving greater or lesser weight to various categories of performance data used by the search engine to produce search results.

B. Summary of U.S. Patent Application Publication No. 2005/0080771, to Fish

Fish is purportedly directed to an enhancement to a search engine that modifies search results based on information provided by an identified secondary source. In this regard, results obtained using a conventional search are augmented or refined based on data provided by a secondary source such as a rating service. The results produced by the conventional search system may be broadened or narrowed. Also, information provided by the secondary source may be used to re-order the results produced using the conventional search system.

C. Summary of U.S. Patent No. 6,360,227, to Aggarwal

Aggarwal is purportedly directed to generating graph taxonomies and making content-based recommendations based on those graph taxonomies. More specifically, related information is classified using a directed acyclic graph. In this regard, Web pages may be analyzed in order to classify links to Web pages in the appropriate categories of the graph

taxonomies. When a search result is received, the Aggarwal system may recommend a group of documents in a subject area that is related to a search query input by the user. By preprocessing Web page data into graph taxonomies before search results are received, the Aggarwal system purportedly improves the speed in which search results may be provided.

D. Summary of U.S. Patent No. 6,326,962, to Szabo

Szabo is purportedly directed to formulating and refining a search of a database by modifying the relationship between search terms and set operators that link the search terms. In one aspect of the Szabo system, a user may define a desired result parameter to refine a search strategy. Artificial intelligence may be applied to propose an analogous change to the search which corresponds to the input provided by the user. As a result, Szabo may provide a more relevant search result that adheres to a generalized criteria identified from the input received from the user.

II. The Claims Distinguished

A. Claim Rejections Under 35 U.S.C. § 101

Claims 23-66 were rejected under 35 U.S.C. § 101 because the Office Action asserted that these claims were directed to nonstatutory subject matter. With regard to Claims 23-44, the Office Action asserted that these claims lacked a useful, concrete, and tangible result because the system was directed at software per se. Applicants have amended Claim 23, from which Claims 24-44 depend, to recite a useful, concrete, and tangible result in which optimized search results are provided to a user.

Second, the Office Action asserted that Claim 45 was not limited to tangible embodiments. Accordingly, Claim 45 has been amended to recite a media in which instructions are stored on the media. Since Claims 46-66 depend from Claim 45, the amendments made to Claim 45 propagate to these claims as well.

B. Claim Rejections Under 35 U.S.C. § 112

Claims 4, 5, 26-32, and 44-66 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The Office Action asserted that the use of the phrase "substantially" renders Claims 4, 5, 26, 27, 48, and 49 indefinite because the scope of these claims was unascertainable. Accordingly, applicants have amended these claims to remove the term "substantially" with subject matter that makes these claims ascertainable.

With regard to Claim 44, the Office Action asserted that no antecedent basis existed for the phrase "wherein the action to adjust the operation of the search engine in real time . . ." Claim 44 has been amended to depend from Claim 43, which provides sufficient antecedent basis to overcome this rejection. With regard to Claim 45, the Office Action asserted that the use of the phrase "unfavorably" rendered the claim indefinite because the scope of the claim was unascertainable. Claim 45 has been amended so that the use of the phrase "unfavorably" has been replaced with subject matter that renders the claim ascertainable. Thus, applicants respectfully submit that the rejections of Claims 4, 5, 26-32, and 44-46 under 35 U.S.C. § 112 should be withdrawn.

C. Rejection of Claims 1, 3, 23, 25-27, 38, 40, 42-45, 47-49, 59, 60, 62, and 64-66 Under 35 U.S.C. § 103(a)

The Office Action rejected Claims 1, 3, 23, 25-27, 38, 40, 42-45, 47-49, 59, 60, 62, and 64-66 under 35 U.S.C. § 103(a) as being obvious over Fish, in view of Aggarwal, and in further view of Szabo. The Office Action asserts that a combination of the cited references suggests each and every element of these claims. Applicants respectfully disagree. As described in more detail below, the cited references fail to disclose or suggest elements of applicants' independent and dependent claims.

1. Claims 1 and 45

For the purpose of this discussion, independent Claims 1 and 45 will be discussed together, because the elements that distinguish each of these claims from the cited references are similar.

Claim 1 recites the following:

1. A method for automating the optimization of search results displayed in a search Web page, the method comprising:

collecting data that represents a performance of a search result, the data originating from at least one of a plurality of sources of performance data;

normalizing the collected data in accordance with a relative importance of the source of the data;

comparing the normalized performance data to an expected performance data for the search result;

diagnosing at least one possible cause for an underperforming search result from the results of the comparison between the normalized performance data and the expected performance data; and

adjusting an operation of a search engine that produced the search result in accordance with the diagnosis to improve the search result performance, the adjustment operative to give greater significance to performance data from at least one of the sources.

Similarly, Claim 45 recites the following:

45. One or more computer-accessible media having instructions stored on the media for facilitating the automated optimization of a search result in a search result user interface, the instructions comprising:

collecting data that represents a performance of a search result from at least one of a plurality of sources of performance data;

normalizing the collected data in accordance with a relative importance of the source of the data;

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comparing the normalized performance data to an expected performance data for the search result;

diagnosing at least one possible cause for an underperforming search result based on the comparison between the normalized performance data and the expected performance data; and

adjusting an operation of a search engine that produced the search result in accordance with the diagnosis to improve the search result performance, the adjustment operative to give greater significance to performance data from at least one of the sources.

Claims 1 and 45 are directed to dynamically modifying factors used to produce search results by comparing normalized performance data to expected performance data. In this regard, each of these claims recites processes and steps for diagnosing at least one possible cause for an underperforming search result that is based on a comparison between the normalized performance data and the expected performance data. Depending on the diagnosed cause of the underperforming search result, the claimed subject matter adjusts the configuration of a search engine in accordance with the diagnosis. By performing these steps, aspects of the present invention allow a search engine to keep pace with the rapid changes in searchable content available from modern computer networks such as the Internet. For example, as content available from Web sites becomes outdated, comparisons performed by aspects of the present invention allow for continual adjustments to the operation of a search engine to account for these types of changes.

The Office Action asserts that Fish diagnoses at least one possible cause for an underperforming search result and cites paragraphs 0077-0078 of Fish in support of that proposition. The cited portion of Fish describes a common problem that is often associated with conventional search engines. In this regard, search results are often too large to be useful in instances when a search query is improperly configured. In instances when a search query is

very specific, the search results may be too narrow to identify the desired content. In describing the problem addressed, Fish states:

[0078] A similar problem that is also encountered with conventional search inquiries is that the found set 138 of matching sites or information sources 78 is often too small, e.g. such as if too many search terms 108 are entered within a string 106, or if the search terms 108 are too narrow in scope. A user USR then is typically required to perform another search, typically having different terms 108 and/or less terms 108, in the hopes of finding a larger found set 138 of desired sites 78 and information 80.

Fish at paragraph 0078. The cited portion of Fish describes a general problem encountered in providing search services. The Fish system attempts to address this problem by allowing secondary sources of information to be referenced to refine and/or augment search results. More specifically, as stated in Fish:

[0048] ... For example, in a user-initiated search 13 for lodging in Austin, Tex., a user specified source 16 may preferably comprise rating information 18 of lodgings, e.g. such as available through American Automobile Association, Inc. (AAA). The rating information 18, from the external source 16, e.g. AAA, is then used to refine 22a and/or organize 22b the results 14 of a general search 24 for any lodging that otherwise meets the search parameters 106, 108, e.g. 108a, 108b (FIG. 9, FIG. 10, FIG. 11) within a search query 13. Results from a conventional search engine 12 may therefore be refined 22a and/or reorganized 22b, based on data 18 independently maintained by a ratings service 16.

Fish at paragraph 0048. These cited portions of Fish indicate that the reference is directed to providing information that is not typically used in conventional search systems to refine the results of a search. However, applicants respectfully submit that using information available from a secondary source is not equivalent to diagnosing at least one possible cause for an underperforming search result from the results of a comparison between the normalized performance data and the expected performance data, as recited in Claims 1 and 45.

The subject matter recited in Claims 1 and 45 includes diagnosing at least one possible cause for an underperforming search result based on the results of the comparison between the normalized performance data and the expected performance data. As described in the specification of the present application, performance data describes how relevant users find search results provided by a search engine. The performance data is compared to expected performance data for the purpose of determining whether users find search results relevant. This aspect of the present invention is described in the specification of the present application, which states:

In one embodiment, the automated relevance optimizer 202 obtains the expected relevance data 214 for the results and compares the data to the actual performance, as reflected in the various sources of performance data 204, 206, 208, 210, and 212. Should the automated relevance optimizer 202 determine that the actual performance falls short of the expected performance, then an action 216 is automatically taken to adjust the operation of the search engine to increase the relevance of results and, therefore, to better their performance.

Present application at page 9. By comparing actual performance data with expected performance and adjusting the operation of a search engine based on that comparison, service providers are able to keep pace with the rapid changes in searchable content available from computer networks.

In making a comparison between normalized performance data to expected performance data, aspects of the present invention are able to diagnose at least one possible cause for an underperforming search result. For example, a content provider may not keep a Web site up-to-date with the most relevant content. When a search engine originally indexes the Web site content, it may be identified as being highly relevant to particular search terms. However, since the Web site is not being maintained, users may find the Web site less relevant with the passage of time. Aspects of the present invention are able to determine when the relevance of the content has changed based on observed user behavior. As a result, a more dynamic search service may

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be provided that keeps pace with the rapid changes in searchable content. By contrast, the Fish system does not diagnose at least one possible cause for an underperforming search result. Instead, the Fish system uses a secondary source to refine the search results provided by conventional search technology. In instances when the secondary source does not maintain network-accessible content in an up-to-date form, the Fish system is not able to keep pace with rapid changes in network-accessible content. For example, in the cited portion of Fish above, the secondary source provides rating information for lodging in a geographic region. The rating information from the secondary source is used to refine and/or organize the results of a general search. However, since the Fish system does not compare normalized performance data to expected performance data, it would not be able to rapidly account for changes in content provided by the secondary source. In this example, if the rating information from the American Automobile Association ("AAA") is not up-to-date, then the Fish system would not be able to diagnose a problem with search results that are underperforming. Instead, Fish would only allow users to identify a secondary source to refine a search regardless of whether data provided by the secondary source is proving relevant to users.

The Office Action acknowledges that Fish does not teach normalizing the collected performance data in accordance with a relative importance of the source of the data. However, the Office Action alleges that Aggarwal discloses this aspect of Claims 1 and 45. The Office Action also acknowledges that Fish does not disclose comparing the normalized performance data to an expected performance data for the search result and adjusting an operation of a search engine that produced a result. However, the Office Action alleges that Szabo discloses this aspect of Claims 1 and 45.

Simply stated, Szabo does not teach the combination of "comparing the normalized performance data to an expected performance data for the search result and adjusting an

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operation of the search engine that produced the result in accordance with the diagnosis to improve the search result performance." Generally described, Szabo is directed at manipulating the relationship between search terms and set operations that link search terms to account for improperly configured queries. In support of the proposition that Szabo teaches the combination of comparing normalized performance data to an expected performance data and adjusting an operation of the search engine that produced the search result, the Office Action references Cols. 24-25, lines 58-13, of Szabo. The cited portion of Szabo, in its entirety, states the following:

It is noted that search strategies may be modified implicitly by methods other than graphic manipulation. For example, a user may define a desired result parameter, which the system then uses to tune the search strategy to achieve this parameter. For example, a user may seek the 100 "best" results with given criteria, and thus the system may then analyze the database to determine an optimum search strategy, which is then implemented.

Artificial intelligence may be applied to analyze the composite set inclusion criteria, and to propose an analogous change to the search which corresponds to the gesture or indication of the user. Thus, in a full test proximity searchable system, a search criteria A AND B might, for example, be narrowed in the order of A (same section) B, A (same paragraph) B, A (same sentence) B, A (adjacent) B. Alternately, the word spacing between A and B may be narrowed by successively reducing the operator, A (within n words of) B. Using artificial intelligence, these various schemes may be intermixed or hybridized, and indeed, the search strategy may be tuned based on a number of reported hits, if too low, the strategy is made less restrictive, if too high, it is made more restrictive, according to the hierarchy of the search.

Szabo at Cols. 24-25, lines 58-13. The cited portion of Szabo describes a system in which logical operators (e.g., and, or, etc.) between search terms may be modified depending on the number of reported hits for a search result. For example, if a search query includes search terms that are separated by an "AND" operator and the number of hits is identified as being too low,

the relationship of the "AND" operator to search terms may be changed to make the query less restrictive. In the Szabo system, spacing between search terms and logical operations may be narrowed or expanded within an arbitrary number of words to modify search results. This modification of a search query performed in the Szabo system is not equivalent to comparing normalized performance data to an expected performance data as disclosed in Claims 1 and 45. In contrast to the claims of the present application, Szabo identifies instances when search results are either too broad or too narrow and modifies operators between search terms to provide either more or less restrictive search results. As a result, the Szabo system would not be able to adjust for rapid changes in network-accessible content. Instead, the Szabo system is designed to provide relevant search results in instances when users input search queries that are not producing desired search results.

The Szabo system does not adjust the operation of a search engine that produced the search result in accordance with the diagnosis to improve the search performance, wherein the adjustment is operative to give greater significance to performance data from at least one of the sources. As described above, the relevant disclosure in Szabo is directed at narrowing or expanding search queries input by users. In this regard, the Szabo system modifies the relationship between search terms and logical operators that are used to define the hierarchy of the search. Simply stated, the Szabo system does not use different sources of performance data to adjust the operation of the search engine. Instead, the Szabo system modifies the relationship between search terms and logical operators that are input by the user to provide more relevant search results. Accordingly, Szabo does not teach the elements as asserted in the Office Action.

2. Claims 3, 47-49, 59, 60, 62, and 64-66

Claims 3, 47-49, 59, 60, 62, and 64-66 depend from independent Claims 1 and 45, respectively. As discussed above, the cited and applied references fail to teach or suggest

diagnosing at least one possible cause for an underperforming search result and adjusting the operation of a search engine that produced the search result in accordance with the diagnosis. Accordingly, for the above-described reasons, dependent Claims 3, 47-49, 59, 60, 62, and 64-66 are also allowable over the cited and applied references. Additionally, these claims are nonobvious for additional reasons, some of which are discussed in further detail below.

Claims 3 and 47 include the additional elements of "wherein normalizing the collected data in accordance with a relative importance of the source of the data includes giving greater weight to the data from the more important sources and combining the data to reflect the relative importance of the source from which the data originated." The Office Action asserts that Aggarwal teaches these claim elements and cites Col. 5, lines 14-24 of Aggarwal in support of that proposition. However, the cited portion of Aggarwal describes a system in which words are given greater weight depending on their frequency in a document. Applicants respectfully submit that giving words greater weight depending on their frequency in a document is not equivalent to giving greater or lesser importance to the sources from which performance data originated, as recited in Claims 3 and 47. Accordingly, these claims are nonobvious over the cited references for this additional reason.

Claim 59 includes the additional elements of "wherein the instruction to diagnose at least one possible reason why the search result performance compares unfavorably to the expected performance includes an instruction to determine at least one of whether the search result is no longer valid, whether the search result appears in a poor location, whether a search term that generated the search result is easily misspelled, whether the search term is too broad to generate a meaningful result, and whether a search for the search term should be constrained to a specific resource." The Office Action asserts that these elements recited in Claim 59 are disclosed in a combination of the Fish and Szabo references. However, applicants are unable to find any

disclosure in Fish and Szabo to identifying search results that are no longer valid because, for example, the search result is easily misspelled. Instead, the cited portions of the applied references are directed at modifying user input to produce a desired number of search results. Accordingly, Claim 59 is nonobvious over the cited and applied references for these additional reasons.

Claim 61 adds the additional elements of "wherein the instruction to adjust the operation of the search engine that produced the search result in accordance with the diagnosis, includes an instruction to modify the search engine's search schema to augment a presentation of the search result generated for the search term, wherein to augment the presentation includes at least one of to highlight, animate, enlarge, and reposition a display of the search result on a search result Web page." Simply stated, applicants are unable to find any reference in Fish, Szabo, or Aggarwal of any disclosure regarding highlighting, animating, enlarging, and/or repositioning an appearance of a search result on a search result Web page. Instead, the cited references are directed at refining the results of a search query to prevent the results from being too broad or too narrow. Thus, applicants submit that Claim 61 is allowable for these additional reasons.

3. Claim 23

The Office Action rejected Claim 23 under 35 U.S.C. § 103(a) as being obvious over Fish, in view of Aggarwal, and in further view of Szabo. The Office Action asserts the cited references teach or suggest each and every element of applicants' claims. As described in more detail below, the cited and applied references fail to disclose or suggest certain elements of this independent claim.

Claim 23 recites an automated search result optimization system that provides search results to a user that includes "a diagnostic process to compare a performance of the search result, as represented by the collected performance data, to an expected performance of the

search result." However, as described above, the cited and applied references do not teach a diagnostic process that compares performance data with the expected performance of the search result. More specifically, the Fish system is directed to allowing data available from a secondary source to be used when providing search results. It does not diagnose a cause for an underperforming search result from the results of a comparison between performance data and the expected performance of a search engine. As described above, the Fish system uses a secondary source to refine search results provided by conventional search technology. When problems are identified from search results, the Fish system is not able to diagnose the cause of the problem. Instead, the Fish system uses a secondary source to refine the search results provided by conventional search technology. In instances when the secondary source does not maintain network-accessible content in an up-to-date form or the data available from the secondary source otherwise becomes less relevant, the Fish system neither diagnoses the problem or modifies attributes of a search engine to address the problem. Accordingly, Fish does not teach a diagnostic process to assess the performance of a search engine as recited in Claim 23.

4. Claims 25-27, 38, 40, 42-44

Claims 25-27, 38, 40, and 42-44 depend on independent Claim 23. As discussed above, the cited and applied references fail to teach or suggest a diagnostic process to compare a performance of the search result, as represented by the collected performance data, to an expected performance of the search result, among other claim elements. Accordingly, for the above-described reasons, dependent Claims 25-27, 38, 40, and 42-44 are also allowable over the cited and applied references. Additionally, these claims are nonobvious for additional reasons, as discussed in further detail below.

Claim 40 includes the additional elements of "wherein the adjustment process to generate an output data representing an action to automatically adjust an operation of the search engine, includes generating output data that represents an action to increase the search engine's spellchecker tolerance." The Office Action asserts that Szabo teaches these additional claim elements and references Szabo at Col. 21, lines 26-40 in support of that proposition. The relevant portion of Szabo states that "spelling variations and word root analysis may be used to identify variants." Szabo at Col. 21, lines 38-39. This cited portion of Szabo teaches that spelling variations must be identified in order to generate a broader set of search results. In contrast, Claim 40 recites a system in which spell checker tolerance is modified to produce more relevant search results. In this instance, spelling variations of search terms are not generated. Instead, a spell checker may automatically change the spelling of a search term. Accordingly, these claims are nonobvious over the cited references for this additional reason.

Claim 42 recites the additional claim elements of "wherein the adjustment process to generate an output data representing an action to automatically adjust an operation of the search engine, includes generating output data that represents an action to temporarily adjust the operation of the search engine, and to further determine whether the temporary adjustment has actually improved the search result performance before generating an action to permanently adjust the operation of the search engine." This aspect of the present invention is directed at testing modifications to a search engine before permanently committing those modifications. The Office Action asserts that Szabo teaches these additional claim elements. However, the cited portion of Szabo merely describes a system for tuning a search strategy to achieve particular parameters. Szabo does not teach an automated way to test the performance of changes to a search engine before committing those changes. Thus, applicants submit that Claim 42 is allowable for these additional reasons.

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D. Rejection of Claims 2, 4-22, 28-37, 39, 41, 46, 50-58, 61, and 63
Under 35 U.S.C. § 103(a)

Claims 2, 4-22, 28-37, 41, 46, 50-58, 61, and 63 were rejected under 35 U.S.C. § 103(a) as being obvious over Fish, in view of Aggarwal, in view of Szabo, and in further view of Reisman. The Office Action asserts that the cited and applied references teach each element of these claims. However, as discussed above, the cited and applied references fail to teach or suggest diagnosing at least one possible cause for an underperforming search result and adjusting the operation of a search engine that produced the search result, among other claim elements. Accordingly, for the above-described reasons, dependent Claims 2, 4-22, 28-37, 41, 46, 50-58, 61, and 63 are also allowable for the same reasons as independent Claims 1, 23, and 45, respectively. Additionally, these claims are nonobvious for additional reasons, as discussed in further detail below.

Claim 2 adds the additional claim elements of "wherein the at least one of the plurality of sources of performance data includes one of an implicit performance data, an explicit performance data, a human-judged performance data, a relevance verification data, and a sample test data." The Office Action asserts that Reisman teaches a system in which sources of performance data includes explicit performance data and human-judged performance data and cites Reisman at paragraph 0043 in support of that proposition. In its entirety, the cited portion of Reisman states the following:

[0043] When the first approach is utilized, the present invention is preferably implemented by creating different search tools for different task/domains. For example, the server preferably includes both a signifier mapping tool as well as a discovery search tool. Preferably, in the first approach, the single search service provided by the server asks users to indicate the type of request they are making, such as by selecting from multiple qualifiers, such as a people search that selects for phone or e-mail. Alternatively, in a hybrid of the two, the inquiry can be made after an initial search, by asking the user if the results were acceptable and

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inviting the user to elaborate on the task/domain that is intended while in the course of confirming the results or refining the request.

Reisman at paragraph 0043. The cited portion of Reisman merely describes a system in which a user is prompted when a search result is provided for input regarding whether search results were relevant. Applicants respectfully submit that human-judged performance data that describes whether certain criteria are satisfied in a search result is different than merely prompting a user for input regarding whether results of a search are relevant. Thus, applicants submit that Claim 2 is allowable for this additional reason.

Claim 8 adds the additional element of "wherein implicit performance data further identifies an operation that the user performed on the result, including at least one of editing, e-mailing, printing, bookmarking, and copying." The Office Action asserts that Reisman teaches these additional claim elements and cites Reisman at paragraph 0128 in support of that proposition. However, the cited portion of Reisman describes a system in which natural language translations are performed using alternative dictionaries and feedback of these natural language translations is obtained in batches. Reisman at paragraph 0128, lines 9-17. Applicants respectfully submit that obtaining feedback in batches when performing natural language translations is different than obtaining implicit performance data that describes whether a user edited, e-mailed, printed, bookmarked, and/or copied network-accessible content identified in a search result. Thus, Claim 8 is allowable over the cited reference for this additional reason.

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CONCLUSION

In view of the remarks above, applicants respectfully submit that the present application is in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If the Examiner has any questions or comments concerning this matter, the Examiner is invited to contact the applicants' undersigned attorney at the number below.

Respectfully submitted,

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